

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

Circuit Mediation Office

Phone (415) 355-7900 Fax (415) 355-8566

<http://www.ca9.uscourts.gov/mediation>

MEDIATION QUESTIONNAIRE

The purpose of this questionnaire is to help the court's mediators provide the best possible mediation service in this case; it serves no other function. Responses to this questionnaire are **not** confidential. Appellants/Petitioners must electronically file this document within 7 days of the docketing of the case. 9th Cir. R. 3-4 and 15-2. Appellees/Respondents may file the questionnaire, but are not required to do so.

9th Circuit Case Number(s):	12-55115		
District Court/Agency Case Number(s):	2:10-cv-08377-JAK-JEM		
District Court/Agency Location:	U.S. District Court for Central California, Los Angeles		
Case Name:	Birdt	v.	Baca
If District Court, docket entry number(s) of order(s) appealed from:	96		
Name of party/parties submitting this form:	Plaintiff, Jonathan W. Birdt		
Please briefly describe the dispute that gave rise to this lawsuit.			
Denial of a permit to carry a concealed weapon.			
Briefly describe the result below and the main issues on appeal.			
The District Court found that Defendants policy of not issuing permits furthered the goal of reducing crime, but Plaintiff contends there was no evidence to support that conclusion. Plaintiff contends the Court evaluated the wrong nexus, i.e., the court found reducing guns reduces crimes, whereas the only expert testimony on the topic of CCW's was that they reduced crime. Plaintiff contends the government had to prove that its' policy was related to the goal, not a general fear of guns, but failed to do so.			
Describe any proceedings remaining below or any related proceedings in other tribunals.			
None.			

Provide any other thoughts you would like to bring to the attention of the mediator.

Mediation would be non-productive. There are a number of pending legal challenges, and until a Judge tells Sheriff Baca and Chief Beck that they are violating the Second Amendment, they will not change their political stance.

Any party may provide additional information *in confidence* directly to the Circuit Mediation Office at ca09_mediation@ca9.uscourts.gov. Please provide the case name and Ninth Circuit case number in your message. Additional information might include interest in including this case in the mediation program, the case's settlement history, issues beyond the litigation that the parties might address in a settlement context, or future events that might affect the parties' willingness or ability to mediate the case.

CERTIFICATION OF COUNSEL

I certify that:

a current service list with telephone and fax numbers and email addresses is attached

☒ (see 9th Circuit Rule 3-2).

I understand that failure to provide the Court with a completed form and service list

☐ may result in sanctions, including dismissal of the appeal.

Signature

("s/" plus attorney name may be used in lieu of a manual signature on electronically-filed documents.)

Counsel for .

Note: Use of the Appellate ECF system is mandatory for all attorneys filing in this Court, unless they are granted an exemption from using the system. **To file this form electronically** in Appellate ECF, complete the form, and then print the filled-in form to PDF (File > Print > PDF Printer/Creator). Then log into Appellate ECF and choose Forms/Notices/Disclosure > File a Mediation Questionnaire.